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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/667,115	09/19/2003	Russell Norman Mirov	SUN03-0112	8531
57960 7590 12/28/2007 SUN MICROSYSTEMS INC. C/O PARK, VAUGHAN & FLEMING LLP 2820 FIFTH STREET DAVIS, CA 95618-7759			EXAMINER DINH, TUAN T	
			ART UNIT 2841	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/667,115

Applicant(s)

MIROV, RUSSELL NORMAN

Examiner

Tuan T. Dinh

Art Unit

2841

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on RCE filed on 11/19/07.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-7 and 34-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-7,34-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/19/07 has been entered.

Note:

Claims 1-3, 5-7, and 34-44 are pending in this application based on the election of the applicant, which is the **Specie I, figure 1** filed on 10/31/05.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, 5-7, 34-36, and 39-42 are rejected under 35 U.S.C. 102(b) as being anticipated by Matson et al. (U.S. Patent 4,695,112) as in the record.

As to claims 1-3, Matson discloses a circuit board (12, column 2, line 7) as shown in figures 1-2 comprising: a mechanism (16, column 2, line 9) comprising:

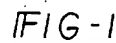
signal means for (wire traces 18, and circuitries formed in/on the circuit board 12) conducting a signal between the mechanism (16) and the circuit board (12); and

separation means (gaps 20, column 2, line 15) for facilitating detachment of the mechanism (16) from the circuit board (12);

identification means for (labels No.1-No.6, figure 1 shows the label No.3 and No.4) identifying the mechanism (16);

wherein the circuit board becomes at least partly non-functional if the mechanism is detached from the circuit board; and wherein after the mechanism (16) has been detached from the circuit board (note: the mechanism being condition of broken (that means to open circuit)), the mechanism cannot be reattached (when the mechanism or key or tab being broken (to be open circuit)) to the circuit board, and wherein the only way to detach the mechanism is so detach the mechanism from the circuit board so that the mechanism cannot be reattached to the circuit board (so after the mechanism detached from the circuit board in condition of broken then the mechanism cannot be reattached back to the circuit board).

As to claims 5-7, Matson discloses in figure 1 the identification means being a circuit (conductor run (18), visible identification code (labels No. 3, No. 4), and being protected (by a molded connector 14) from being easily manipulated.



As to claims 34, 40-41, Matson discloses a circuit board assembly, shown in figure 1 comprising: a circuit board (12) comprising a tab (key tab-16) having: proximate and distal ends (see figure above); and two opposing sides separated from the assembly by gaps (slots 20); an identification (labels N0.1-No.6 formed on conductor runs 18 to identify the function of leads/pins of the conductor runs) situated on the tab (16); and a signal conductor (traces or wirings on the board) extending from the circuit board to the tab and configured to convey a signal when the assembly is powered, and wherein removal of the key from the circuit board assembly causes said portion of the signal conductor to be not electrical contact to the assembly, and wherein after the mechanism (16) has been detached from the circuit board (note: the mechanism being broken (that means to open circuit)), the mechanism cannot be reattached (when the mechanism or key or tab being broken (to be open circuit)) to the circuit board, wherein the only way to detach the mechanism is so detach the mechanism from the circuit

board so that the mechanism cannot be reattached to the circuit board (so after the mechanism detached from the circuit board in condition of broken then the mechanism cannot be reattached back to the circuit board).

As to claim 35, Matson discloses the circuit board assembly cannot be powered if the signal conductor on the tab is decoupled (it is inherently that if one of the trace or wiring being broken or damage then the board cannot be operated).

As to claim 36, Matson discloses one or more operating functions of the circuit board become inoperable when the signal conductor is broken.

As to claim 39, Matson discloses the identification module comprises a sequence of characters (labels).

As to claim 42, Matson discloses the signal conductor (traces) does not extend to the distal end of the tab (16).

As to claim 43, Matson discloses a circuit board assembly as shown in figures 1-2 comprising:

- a signal conductor (18); and

- a key (16) removably connected to the circuit board assembly and comprising: an identification (labels); and

- a portion of said signal conductor (the key including a portion of the conductors 18 and labels formed on the conductors);

- wherein while said key is removably connected to the circuit board assembly a plurality of gaps (20, see figure 2) are defined between the circuit board assembly and said key; and wherein removal of the key from the circuit board assembly causes said

portion of the signal conductor on the key to be decoupled (to be not electrical contact) to the assembly, and wherein after the mechanism (16) has been detached from the circuit board (note: the mechanism being broken (that means to open circuit)), the mechanism cannot be reattached (when the mechanism or key or tab being broken (to be open circuit)) to the circuit board, wherein the only way to detach the mechanism is so detach the mechanism from the circuit board so that the mechanism cannot be reattached to the circuit board (so after the mechanism detached from the circuit board in condition of broken then the mechanism cannot be reattached back to the circuit board).

As to claim 44, Matson discloses a circuit board as shown in figures 1-2 comprising:

a key (16) removably connected to the circuit board, the key comprising: a portion of a signal conductor (18) configured to conduct a signal between the key and the circuit board; and an identification (labels) configured to identify the key;

wherein the key is removably connected to a first portion of the circuit board but is separated from other portions of the circuit board by a plurality of gaps (20); wherein the gaps facilitate detachment of the key from the circuit board; and wherein one or more functions of the circuit board become at least partly non-functional, including conduction of a signal by the signal conductor (18), if the key is detached from the circuit board (it is inherently that cause the signal line/trace/wiring being non functional when the conductor signal not connected to the assembly), and wherein after the mechanism (16) has been detached from the circuit board (note: the mechanism being

broken (that means to open circuit)), the mechanism cannot be reattached (when the mechanism or key or tab being broken (to be open circuit)) to the circuit board, wherein the only way to detach the mechanism is so detach the mechanism from the circuit board so that the mechanism cannot be reattached to the circuit board (so after the mechanism detached from the circuit board in condition of broken then the mechanism cannot be reattached back to the circuit board).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 37-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matson ('112).

As to claims 37-38, Don discloses all of the limitation of the claimed invention, except for the identification comprises a hologram or barcode.

However, the barcode or hologram is well known in the art that provide an identification or logo for the product. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have a barcode or hologram to modify the labels as taught by Matson for the purpose of verifying or identification product.

Response to Arguments

5. Applicant's arguments with respect to claims 1-3, 4-7, and 34-44 have been considered but are moot in view of the new ground(s) of rejection.

Applicant argues:

a) Matson does not suggest "the mechanism", which after being detached cannot be reattached.

Examiner disagrees because when after the mechanism being detached from the circuit board with condition of broken then the key, mechanism, or tab cannot be connected to the circuit board then obviously, the mechanism cannot be reattached to the circuit board.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan T. Dinh whose telephone number is 571-272-1929. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gutierrez F. Diego can be reached on 571-272-2245. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Tuan Dinh
December 22, 2007.


TUAN T. DINH
PRIMARY EXAMINER

12/22/07